CONSTITUTION AND BY-LAWS
of the
NATIVE VILLAGE OF COUNCIL

We, the Inupiaq residing principally within the boundaries of the Village of Council, having a common bond of culture, heritage, association, and interest, do hereby establish this Constitution by authority of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984) as amended by the Acts of June 15, 1935 and May 1, 1936, in order to promote our right to self-determination, to preserve and protect our culture and lifestyle, to determine our destiny, and to advance and to protect our security, social welfare, land, and common interests as descendants of the original inhabitants of the Seward Peninsula.

Article I. Name

We shall be called the Inupiaq Village of Council.

Article II. Membership

Section 1. First Members. All persons whose names appear on the membership roll of the Village of Council which was prepared pursuant to the Alaska Native Claims Settlement Act shall be members of the Inupiaq Village of Council.

Section II. Descendants of Members. Descendants of persons enrolled to the Village of Council under terms of ANCSA but who are not carried on the membership roll of the Village of Council shall be members of the Inupiaq Village of Council.

Section III. Other Members. Any person of 1/4 or more Alaska Native descent who shall maintain continuous residence within the boundaries of the Inupiaq Village of Council for one year or more shall be deemed eligible for membership in the Inupiaq Village of Council.

Section V. Loss of Membership. A member who moves away from the Village intending not to return shall lose his membership. However, any person whose name is removed from the membership rolls shall have the right of appeal to the Commissioner of Indian Affairs, whose decision shall be final.

Section VI. Membership Rules. The Inupiaq Village of Council may establish rules to govern membership, either for the purpose of carrying out this Article or covering membership matters not taken care of in this Article.

may prove restrictive

[illegible] term usually means - membership

Article III. Governing Body

Section I. General Council. The Governing Body of the Inupiaq Village of Council shall be a nine (9) member General ouncil elected by no less than 30% of the eligible members of the Inupiaq Village of Council. Candidates for the General Council shall be at least eighteen (18) years of age or older, and shall be members in good standing of the Inupiaq Village of Council. Four members of the Council shall serve two year terms; five members of the Council shall serve one year terms. difficult to accomplish - should be initial terms thereafter all should serve 2 yrs

Section II. Officers. The nine (9) member General Council shall elect officers of the Council from among its members. The officers shall be the President, Vice-President, Secretary and Treasurer.

Section III. Meetings. The General Council shall meet at least once a year. A general meeting of the whole membership shall be held at least once a year.

general Council & whole membership mean the same.

This section limits the Executive Committee to an ordinary committee

Article IV. Executive Committee

There shall be an Executive Committee composed of four members of the General Council. The General Council may appoint from among its members the Executive Committee of four members, one of whom shall be the President of the Council, who shall also be the chairman of the Executive Committee. The General Council reserves to itself alone the power to change the membership, fill vacancies on this committee, elect and remove officers, and amend the by-laws. Subject to the foregoing limitations, the Executive Committee shall possess and exercise all powers the General Council may by resolution designate.

Article V. Elections

The first election of the General Council under this Constitution shall be held within sixty (60) days following approval of the Constitution and By-Laws.

All village elections shall be conducted in accordance with an election ordinance which shall be proposed by the General Council and approved by the membership of the Inupiaq Village of Council. The election ordinance shall include provisions for a fair election, nomination of candidates, balloting, and a method for settling election disputes.

Any member of the village eighteen (18) years of age or more shall qualify for office; and, if elected, may hold office, provided no person convicted of a felony may qualify for office until pardoned or until at least five (5) years have passed following completion of sentence.

Any member of the village eighteen (18) years of age or more shall be entitled to vote in any tribal election or meeting.

Should be COUNCIL — if authority is delegated to an elected representative body —

Article VI. Powers

The General Council or by delegated authority the Executive Committee shall exercise such powers as may be authorized by the Indian Reorganization Act of June 18, 1934 (48 Stat. 984) as amended by the Act of June 15, 1935 (49 Stat. 378), and the Act of May 1, 1936 (49 Stat. 1250), and such powers and responsibilities hereinafter provided, subject to any limitation imposed by Federal Law or the Constitution of the United States and such further powers as may in the future be delegated by the Secretary of the Interior or his duly authorized representative.

(a) To consult, negotiate, contract or conclude agreements with Federal, State, and local governments on activities that affect the Village.

(b) To employ legal counsel, the choice of counsel and fixing of fees to be subject to the approval of the Secretary of the Interior or his duly authorized representative.

(c) No sale, disposition, lease, encumbrance of Village lands, interests in lands, or other village assets shall be made without the consent of the membership of the Inupiaq Village of Council.

(d) To receive advice from and make recommendations to the Secretary of the Interior with regard to all appropriation estimates or Federal projects for the benefit of the members of the Village prior to the submission of such estimates to the Office of Management and Budget and to Congress.

(e) To acquire property and to accept gifts.

(f) To assess fees for payment of expenses or to finance any project which is for the benefit of the members of the village as a whole.

(g) To enact ordinances governing the adoption of members and loss of membership.

(h) To establish rules of procedure for the conduct of its affairs.

(i) To cultivate and preserve native arts, crafts, culture and ceremonials.

Any rights and powers heretofore vested in the Village but not expressly referred to in this Article shall not be lost by reason of their omission but may be exercised with the adoption of appropriate amendments to the Constitution.

Article VII. Bill of Rights

The protection guaranteed to persons by title II of the Civil Rights Act of 1968 (82 Stat. 73), against actions of a tribe in the exercise of

its powers of self-government shall apply to the Village, its officers, and all persons within its jurisdiction.

Article VIII. Duties of Officers

The President shall preside at all meetings of the General Council & Council and of the Executive Committee and shall perform all duties of the chairman and shall exercise any authority delegated to him or her by the General Council or Executive Committee.

The Vice-President shall in the absence of the President perform all duties and assume all responsibilities vested in the President. The Vice-President shall, upon the request of the President, assist in carrying out the duties of the President.

The Secretary shall keep an accurate account of all proceedings and official records of the General Council and of the Executive Committee. The Secretary shall conduct all correspondence affecting the Village. It shall be the Secretary's responsibility to keep minutes of all regular and special meetings and to submit copies of such minutes to the Superintendent of the Nome Agency.

The Treasurer shall be the custodian of all funds which may accrue to the benefit of the Village and he/she shall receive, receipt for and deposit them in a bank covered by Federal Deposit Insurance Corporation. He shall pay out funds in accordance with a properly executed resolution of the General Council or Executive Committee. He shall keep accounts of all receipts and disbursements and shall make a financial report at least once a year. Whenever the General Council deems it necessary, the treasurer shall be bonded. Bond premiums shall be paid from tribal funds. The books of the treasurer shall be subject to annual audit or inspection at the direction of the General Council or the Commissioner of Indian Affiars.

Article IX. Meetings

Regular meetings of the ~~General~~ Council shall be held monthly on dates set by the ~~General~~ Council.

Special meetings of the ~~General~~ Council may be called at the discretion of the President or shall be called by him upon written request of at least two members of the Executive Committee or upon the written request of at least five members of the ~~General~~ Council.

All meetings of the ~~General~~ Council and the Executive Committee shall be conducted in accordance with Robert's Rules of Order except where said rules conflict with a specific provision of this Constitution.

Five members of the General Council shall constitute a quorum. No business shall be transacted by the General Council unless a quorum is present. Three members of the Executive Committee shall constitute a quorum to transact any business.

Article X. Amendments

Amendments to this Constitution may be proposed by a majority vote of the General Council and shall become effective if approved by the Secretary of the Interior and ratified by the qualified voters of the tribe in the same manner as was this Constitution.

Article XI. Adoption

This Constitution shall be in effect when it is ratified by a majority of the qualified voters voting at an election called for that purpose by the Secretary of the Interior or his designated representatives; provided, at least thirty (30) percent of those entitled to vote shall vote.

Isaac Pederson